

AMENDED IN ASSEMBLY APRIL 26, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2438**

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**Introduced by Assembly Member Hagman**

February 19, 2010

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An act to amend Section 5000 of the Penal Code, relating to ~~corrections~~ relating to state lands.

LEGISLATIVE COUNSEL'S DIGEST

AB 2438, as amended, Hagman. ~~State correctional system. State lands: lease.~~

*Existing law authorizes the Director of General Services to execute specified agreements relating to real property belonging to the state on behalf of the state.*

*This bill would authorize the director to lease real property adjacent to the California Institution for Men at Chino to a private or public entity under terms he or she deems are in the best interest of the state, and would require, notwithstanding other law, 50% of any moneys paid to the state as a result of a lease to be deposited in the General Fund and 50% be allocated to the Department of Corrections and Rehabilitation in the annual Budget Act.*

~~Existing law establishes the Department of Corrections and Rehabilitation and specifies that the primary objective of adult incarceration is public safety.~~

~~This bill would make nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. (a) The Director of General Services is authorized*  
2     *to lease real property adjacent to the California Institution for*  
3     *Men at Chino to a private or public entity under terms he or she*  
4     *deems are in the best interest of the state.*

5     *(b) Notwithstanding any other law, including subdivision (g)*  
6     *of Section 11011 of the Government Code, 50 percent of any*  
7     *moneys paid to the state as a result of a lease authorized under*  
8     *subdivision (a) shall be deposited in the General Fund, and 50*  
9     *percent shall be allocated to the Department of Corrections and*  
10    *Rehabilitation in the annual Budget Act.*

11    ~~SECTION 1. Section 5000 of the Penal Code is amended to~~  
12    ~~read:~~

13    ~~5000. Commencing July 1, 2005, any reference to the~~  
14    ~~Department of Corrections in this or any other code refers to the~~  
15    ~~Department of Corrections and Rehabilitation, Division of Adult~~  
16    ~~Operations.~~

17    ~~The act enacted by Senate Bill 737 of the 2005-06 Regular~~  
18    ~~Session shall not be construed to alter the primary objective of~~  
19    ~~adult incarceration under the reorganized Department of~~  
20    ~~Corrections and Rehabilitation, which remains public safety, as~~  
21    ~~articulated in the legislative findings and declarations set forth in~~  
22    ~~Section 1170.~~